

**BILL NO. 02-53  
AS AMENDED**

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 2-53

Introduced by Council Member Guthrie

Legislative Day No. 02-28 Date: December 17, 2002

AN ACT to repeal and reenact, with amendments, Article XXVIIA, Harford Cable Network Board, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to establish that a certain member be a nonvoting member; to provide for the selection of certain officers, to establish the voting rights of the Board's Chair; to provide for the performance evaluation of the Executive Director; and generally relating to the Harford Cable Network Board.

By the Council, December 17, 2002

Introduced, read first time, ordered posted and public hearing scheduled

on: January 14, 2003

at: 7:00 p.m.

By Order: /s/ James E. Massey, Jr., Council Administrator

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 14, 2003 and concluded on January 14, 2003.

Mary Kate Harbo, Acting Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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- 1 Section 1. Be It Enacted By the County Council of Harford County Maryland, That
- 2 Article XXVIIA, Harford Cable Network Board, of Part 3, Authoritative Boards and
- 3 Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the
- 4 Harford County Code, as amended, be, and it is hereby repealed and reenacted, with
- 5 amendments, all to read as follows:
- 6 Chapter 9. Boards, Commissions, Councils and Agencies.
- 7 Part 3. Authoritative Boards and Commissions.
- 8 Article XXVIIA. Harford Cable Network Board.
- 9 Section 9-176.1. Establishment; membership.
- 10 A. There is a Harford Cable Network Board.
- 11 B. The Board is an agency of the County Council.
- 12 C. The Board consists of 15 members appointed by the County Council:
- 13 (1) Seven citizen representatives, 1 appointed by each Council member;
- 14 (2) A representative of Harford Community College recommended by the President
- 15 of Harford Community College;
- 16 (3) A member of the County Council, WHO IS AN EX OFFICIO, NONVOTING
- 17 MEMBER;
- 18 (4) A citizen representative recommended by the County Executive;
- 19 (5) A representative of Aberdeen recommended by the City Council;
- 20 (6) A representative of Bel Air recommended by the Town Commissioners;
- 21 (7) A representative of Havre de Grace recommended by the City Council;
- 22 (8) A representative of Comcast Cablevision; and
- 23 (9) A representative of Clearview CATV, Inc.

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D. The Board members must:

(1) Except for the representatives of Comcast Cablevision and Clearview CATV, Inc., be county residents;

(2) Insofar as possible, be representative of the county's population with respect to race, gender, political affiliation, and geography; and

(3) Insofar as possible, represent a balance between individuals who are consumers and individuals with knowledge and experience relevant to cable television.

E. The terms of the County Council member, the 7 citizen representatives appointed by the Council members, and the representatives of Comcast and Clearview are coterminous with the term of the County Council.

F. The terms of the remaining members are 4 years and are staggered as required by the terms provided for those members on January 1, 1992.

G. At the end of a term, a member continues to serve until a successor is appointed and qualifies.

H. A member who is appointed after a term has begun:

(1) Serves for the remainder of the term and until a successor is appointed and qualifies; and

(2) Is eligible for reappointment.

I. A vacancy on the Board shall be filled in the manner of original appointment.

§ 9-176.2. Meetings; quorum; absences.

A. The Board shall meet at least 6 times a year, at the times and places it determines.

B. Eight voting members of the Board are a quorum.

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1 C. Unless the absences are explained to the satisfaction of the Board, a member with  
2 unexcused absences for 3 or more consecutive Board meetings is deemed to have  
3 resigned, and the Board shall notify the County Council of the resignation. Within 60  
4 calendar days after receiving the notice, the Council shall appoint a replacement for the  
5 member.

6 § 9-176.3. Powers and duties.

7 A. The Board shall:

8 (1) Submit a report of its activities to the County Council by March 31 of each year;

9 (2) Coordinate the public, educational, and governmental access programming of  
10 Harford Cable Network;

11 (3) Promote the participation of organizations and individuals in the county in  
12 creating programming that concerns people, events and issues of interest to the county;

13 (4) Ensure that a financial audit of Harford Cable Network is conducted annually by  
14 the County Auditor;

15 (5) Ensure that all revenue received by Harford Cable Network is turned over to the  
16 County Treasurer to be accounted for and expended in accordance with county budgetary  
17 procedures;

18 (6) Select a [Chairman] CHAIR from among its VOTING members, THE CHAIR  
19 SHALL ONLY BE PERMITTED TO VOTE WHEN THE CHAIR'S VOTE WILL  
20 BREAK OR CREATE A TIE VOTE;

21 (7) SELECT A VICE-CHAIR AND SECRETARY FROM AMONG ITS VOTING  
22 MEMBERS

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1    [(7)] (8)        Consult the County Council Attorney or another attorney designated by

2    the Council Attorney for any legal advice it requires;

3    [(8)] (9)        Through the [Chairman] CHAIR, be responsible for the general

4    supervision of Harford Cable Network employees;

5    [(9)] (10)       Through the [Chairman] CHAIR, meet with the [Secretary of the County]

6    Council ADMINISTRATOR at least twice a year to discuss the job performance of the

7    [producer-manager] ~~EXECUTIVE PRODUCER~~ EXECUTIVE DIRECTOR of Harford

8    Cable Network; and

9    [(10)] (11)      Through the [Chairman] CHAIR, conduct jointly with the [Secretary of

10   the County] Council ADMINISTRATOR the annual performance evaluation of the

11   [producer-manager] ~~EXECUTIVE PRODUCER~~ EXECUTIVE DIRECTOR.

12   B.        The Board may:

13   (1)       Accept any gift, grant, or appropriation for Harford Cable Network purposes;

14   (2)       Adopt regulations to carry out the purposes of this Article;

15   (3)       Adopt bylaws governing the conduct of its business;

16   (4)       Adopt guidelines for public access to and use of Harford Cable Network,  
17   including reasonable fees for access and use;

18   (5)       Subject to the county budget, employ staff; and

19   (6)       Take any other lawful action necessary for the proper control, operation, and  
20   development of Harford Cable Network.

21   C.        Regulations, bylaws, and guidelines adopted under Subsection B of this section

22   are not effective until approved by the County Council.

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1 D. Changes in the pay or classification of Harford Cable Network employees  
2 proposed by the Board shall not be forwarded to the Department of Human Resources  
3 until approved by the County Council.

4 § 9-176.4. Employees.

5 Harford Cable Network employees are county employees and shall be in the classified  
6 service established under Chapter 38 of this Code.

7 Section 2. And Be It Further Enacted, That this Act ~~shall take effect 60 calendar days~~  
8 ~~from the date it becomes law~~ shall take effect January 1, 2004 .

9

EFFECTIVE: January 1, 2004

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HARFORD COUNTY BILL NO. 02-53 (as amended)

Brief Title) Harford Cable Network Board

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

Mary Kate Herbig  
Acting Administrator

**ENROLLED**

Robert S. Wagner  
Council President

Date 2-4-03

Date 2-4-03

**BY THE COUNCIL**

Read the third time.

Passed: LSD 03-4

Failed of Passage: \_\_\_\_\_

By Order

Mary Kate Herbig  
Acting Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 6th day of February, 2003 at 4:00 p.m.



Mary Kate Herbig  
Acting Council Administrator

**BY THE EXECUTIVE**

James H. Harbin  
COUNTY EXECUTIVE

APPROVED: Date 2-13-03

**BY THE COUNCIL**

This Bill (No. 02-53, as amended) having been approved by the Executive and returned to the Council becomes law on February 13, 2003

EFFECTIVE DATE: January 1, 2004

Mary Kate Herbig  
Acting Council Administrator

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